

TUSAYAN TOWN COUNCIL MEETING

10:00 am
July 28, 2010
Zuni Room
Best Western Squire Inn
74 State Route 64, Tusayan, AZ

Minutes

Call to order

by Mayor Pete Shearer at 10:03 am and Pledge of Allegiance.

Roll Call

Members in Attendance:

Mayor Pete Shearer

Vice Mayor Greg Bryan

Council member Al Montoya

Council member Ann Wren

Council member Clarinda Vail

Item #3 – Call to the Public

No public input.

Item #4 - Approval of July 8, 2010 Public Hearing, July 14, 2010 Public Hearing, July 14, 2010 Special Meeting and July 14, 2010 Council Meeting Minutes

Vice Mayor Bryan moved to approve the minutes of the July 8, 2010 Public Hearing, July 14, 2010 Public Hearing, July 14, 2010 Special Meeting and July 14, 2010 Council Meeting.

Councilmember Vail seconded the motion. The motion passed unanimously.

Item #5 - Discussion and possible action on process for housing and zoning proposals that might be brought to the council

Vice Mayor Bryan moved to have the Town Council act in the short term as Planning and Zoning Commission and to act upon all applications. The intent is to have a discussion at a Town Hall Meeting to create a Planning and Zoning Committee that would initially review any applications and bring to the council. Mayor Shearer seconded the motion. The motion passed unanimously.

Item #6 - Discussion and possible action regarding the Townsite Act

Mayor Shearer and Councilmember Vail advised the council that with the incorporation, Tusayan can acquire land from the Forest Service to use as community services, water storage tank, flood retention, town park, maintenance facility and housing among a few. Mayor Shearer has spoken with the Forest Service to see if there is appropriate land available. Mayor Shearer and Councilmember Vail will research the Townsite Act and bring the information to the Town Hall Meeting and bring back to the Council for information and consideration.

Clayann Cook asked if the town park should be a separate bullet item on the Town Hall Meeting Agenda. Mayor Shearer said he would like to see community input on a second town park. John Dillon said the Townsite Act is worth looking into since housing is such a hot topic in Tusayan right now and even if it takes 5 years, could be worth it.

Item #7 - Discussion and possible action regarding Town Manager/Town Clerk position

Councilmember Vail and Councilmember Montoya worked together on a job description for the Town Manager/Town Clerk. Councilmember Vail asked for council permission to present the job description to the Town Attorney to check legal issues with the job description. Council approved review of job description by Town Attorney.

Councilmember Vail asked for direction on degree or experience is preferred. Council did not want to limit to a candidate with a degree only. Councilmember Wren asked where the person would live. It was decided that a part time person would not need to live in the community but would have to hold regular office hours as set with the council. Councilmember Vail will have a draft job description by August 5 to present to the council.

Vice Mayor Bryan advised council that Pam Parsons has indicated she is interested in volunteering to be Interim Town Clerk. Councilmember Vail said she would need paperwork from Pam Parsons. Mayor Shearer

Vice Mayor Bryan motioned to pass Resolution Number 2010-07-28-01 regarding Town Manager/Town Clerk position as presented. Councilmember Vail seconded. Motion carried unanimously.

Resolution No. 2010-07-28-01 was passed and adopted and three copies will be available in the Council Office.

Item #8 - Discussion and possible action on fire ordinances

Councilmember Wren advised the council that the Sheriff's Office will enforce any fire ordinance infractions and that the Forest Service will also enforce any fire ordinances if the Town of Tusayan authorizes them to enforce it. Fire Chief Evans and Mayor Shearer will put something together for the next council meeting to adopt. Councilmember Wren asked that fire works be addressed specifically.

Item #9 - Discussion and possible action on purchasing/payments policy

Vice Mayor Bryan requested we adopt the policy presented to the Council by the Town Attorney with an additional item be added to the policy that all purchases of supplies and equipment shall be made by a written and approved purchase order. Only the Purchasing Officer may sign a purchase order. Vice Mayor Bryan moved to approve the purchasing/payments policy presented by the Town Attorney with the above addition. Councilmember Montoya seconded. The motion carried unanimously.

Vice Mayor Bryan presented revenue and expenses to date. Vice Mayor Bryan motioned to pay Williams Grand Canyon News for \$2,044.23 and the Arizona Municipal Risk Retention Pool Insurance for \$2,239.00 immediately. Councilmember Montoya seconded the motion. The motion carried unanimously.

Mayor Shearer asked if the Chase Account can be viewed online by the council. Mayor Bryan will get the password to the council and each councilmember will be able to set up their own password to view the account.

Item #10 - Discussion and possible action on website options and state requirements compliance

Vice Mayor Bryan advised council that the private website had not been completed at this time and we will use the League of Cities and Towns for posting agendas and notices and there is no charge right now. The private site will be approximately \$500 to \$1,000 to get a council website set up. Vice Mayor Bryan will get more information for the next council meeting.

Item #11 - Discussion and possible action on review of existing legal expenses

Vice Mayor Bryan asked that this be on agenda to review our existing legal expenses. Vice Mayor Bryan feels that the rates are too high and Clark Hill is not primarily a municipal-trained law firm and would like to see the town change to a law firm that is currently practicing in municipal-trained law. Mayor Shearer has researched other new towns and has found the amount spent so far is consistent with other new towns in getting started. To cut down on travel time, the Town Attorney will be available for council meetings via telephone conference unless a physical presence is required. Mayor Shearer also advised that employing a Town Manager/Town Clerk will cut down on the legal expenses by handling things currently being done by the Town Attorney.

Councilmember Wren stated that hiring a second firm to handle the litigation was a total waste of money and could have been defended by the Town Attorney. Councilmember Montoya would like to shop around for another Town Attorney. Councilmember Vail advised council that these comments are not in line with the agenda item. Vice Mayor Bryan would like the record to reflect that the Council has not done its job in selecting the most appropriate and cost effective representation. Mayor Shearer advised that Star Valley incurred about \$90,000 to start up and if we had not incurred the legal expenses to defend the lawsuit, the cost would be about the same.

Mayor Shearer asked councilmembers if they feel that the council can go to monthly meetings with special meetings as needed. Vice Mayor Bryan stated that he prefers two monthly meetings and would like to see both of them at night. Vice Mayor Bryan asked to have this brought up at Town Hall Meeting to see how public feels.

Town Attorney Cameron responded that attending telephonically would be fine with the firm. Town Attorney also asked that any question of charges can be brought to the firm's attention. Vice Mayor Bryan to review bills and bring any questionable charges to the Town Attorney's attention with a copy to all Council members.

John Fortenberry asked what the difference would be telephonically and was informed that 6 hours of travel time would not be billed by attending meetings telephonically.

Item #12 - Discussion and possible action on Coconino County IGA since lawsuit is finished

Town Counsel advised that the IGA with Coconino County is in effect until September 1, 2010. A more indepth agreement will need to be worked out to start September 1, 2010. Vice Mayor Bryan is in contact with Supervisor Taylor to consider some kind of extension of the IGA but as of this date, has not heard anything back.

Item #13 - Discussion and possible action on Agenda, Format and Facilitator for Town Hall Meeting on August 4, 2010

Clayann Cook volunteered to facilitate the Town Hall Meeting and will work with Council member Vail to get an agenda together. The Town Hall Meeting will be an organizational meeting with a time limit of two hours, with more meetings to follow. Town Council to set agenda and public at Town Hall Meeting to decide which items will take priority.

Item #14 - Review of financial update

Vice Mayor advised that he had given financial update previously. Just wanted to add that he received a form the ADOR asking for our bond indebtedness and as we have none, will respond to them that we have no bond indebtedness.

Item #15 - Discussion and possible action on publication charge for Home Rule Option Ballot Initiative

Vice Mayor Bryan moved to pass a resolution setting the charge of \$50 for publication of comments in the Home Rule Option Ballot Initiative. Councilmember Wren seconded the motion. The motion passed unanimously.

Resolution No. 2010-07-28-02 was passed and adopted and three copies will be available in the Council Office.

Item #16 - Discussion and possible action regarding sending Treasurer to the National League of Cities

Vice Mayor Bryan advised the council of his request to attend National League of Cities Conference to attend the training as Council Treasurer. Mayor Shearer stated his intent to attend the conference to attend the Arizona Greater Mayors Association is meeting in conjunction. The August 26th council meeting will be changed to August 31, 2010 at 10 am to have a quorum at the council meeting. Councilmember Vail motioned to approve Mayor and Vice Mayor attend Arizona League of Cities Conference. Councilmember Wren seconded. Motion was passed unanimously. Vice Mayor Bryan suggested that it should be a policy that Council members come to the Council for approval for attending any training sessions in advance rather than just make a personal decision to go. Otherwise the Council cannot manage its expenses and plan ahead.

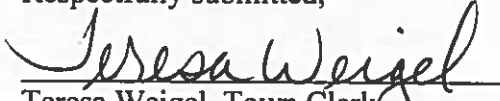
Item # 17 - Set Agenda Items for Next Meeting

Fire ordinances, Town Manager/Town Clerk position, water system and infrastructure on town with presentation by John Rueter and Anazasi Water Company, results of Town Hall Meeting and set next meeting, new IGA with Coconino County.

Item #18 - Adjournment

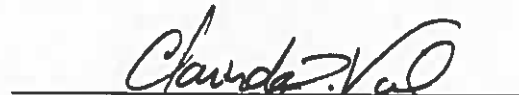
Vice Mayor Bryan motioned to adjourn the meeting at 12:30 pm. Councilmember Wren seconded the motion. The motion passed unanimously.

Respectfully submitted,



Teresa Weigel, Town Clerk

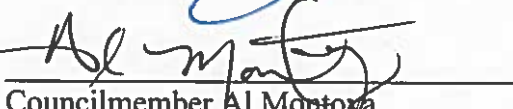
Dated: August 11, 2010


Mayor Pete Shearer


Councilmember Clarinda Yail


Vice Mayor Greg Bryan


Councilmember Ann Wren


Councilmember Al Montoya

TOWN OF TUSAYAN
JULY 28, 2010

LIST OF OUTSTANDING INVOICES

Williams Grand -Canyon News	
Billing dated 5/31/10	\$770.02
Billing dated 6/30/10	<u>\$1,274.21</u>
Total Due 7/28/10	\$2,044.23
 AZ Municipal Risk Retention Pool Insurance	
Billing 4/30/10	\$1,119.50
Billing 7/14/10	<u>\$1,119.50</u>
Total due 7/28/10	\$2,239.00
 Moyes Sellers & Sims	
Billing through 5/31/10	\$42,697.62
Billing through 6/30/10	<u>\$ 4,907.50</u>
Total due 7/28/10	\$47,605.12
 Clark Hill	
Billing through 4/30/10	\$33,968.00
Billing through 5/31/10	\$26,436.91
Billing through 6/30/10	<u>\$32,086.24</u>
Total due 7/28/10	\$92,491.15
 Post Office Box rent – 1 year paid by G. Bryan	112.00
Printer cartridge for office printer pd by G. Bryan	16.41
 Not posted yet - Expenses for Training	

July 28, 2010

Town of Tusayan
Accounts Payable Ledger

Liability Insurance

Full year Premium 4/15/10 – 4/14/11	\$4,478.00
Current amount due 7/28/10	\$2,239.00

Legal Fees

Litigation firm – Moyes Sellers & Sims

May 10, 2010 billing through 4/28/10 including expenses	\$32,071.51
June 10, 2010 billing 5/28/10	\$10,626.11
July 12, 2010 Billings 6/29/10	<u>\$ 4,907.50</u>
	\$ 47,605.12

Town Attorney – Clarke Hill

May 24, 2010 billing through 4/30/10	\$33,968.00
June 7, 2010 billing 5/3 – 31, 2010	\$26,436.91
July 12, 2010 billing	<u>\$32,086.24</u>
	\$ 92,491.15

Miscellaneous Expenses

Newspaper May 1 – June 30, 2010 billings	<u>\$ 2,044.23</u>
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TOTAL ACCOUNTS PAYABLE AS OF 7/28/10	\$146,618.50
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TOWN OF TUSAYAN
7/27/2010

REVENUES

State Shared Rev Funds (Urban Funds) - July	\$12,166.62
Business Licenses	<u>\$30.00</u>

TOTAL REVENUES	\$12,196.62
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EXPENSES

Liability Insurance	\$4,478.00
Legal Fees	

Litigation Expenses	\$47,605.12
Town Attorney	\$92,491.15

Newspaper Expenses	<u>\$2,044.23</u>
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TOTAL EXPENSES	\$146,618.50
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